

RUEF LOSES

In His Effort to Delay Trial for Extortion.

CASE OF SCHMITZ,

Mayor of San Francisco, Indicted with Ruef on Same Charge, Goes to Trial To-day.

San Francisco, March 12.—The state supreme court on Monday denied the application of Abraham Ruef, indicted for extortion, for a writ of prohibition to prevent Judge Dunne from proceeding with the trial of Ruef pending the disposition of the writ of error to the United States supreme court granted by Judge Hebbard.

Judge De Haven in the United States district court refused Ruef's petition for a writ of habeas corpus and denied Ruef the right to appeal from this decision.

When Judge Dunne's court opened Monday a fierce scrimmage resulted from the attempts of hundreds of persons to get in. For five minutes bailiffs battled with the mob, perhaps 50 of whom succeeded in getting inside.

Judge Dunne ordered the doors locked, but until the adjournment of the session many stood in the corridor, hoping vainly for a chance to get into the court room.

Ruef appeared with all his attorneys save Samuel M. Shortridge, who, having been ordered to jail on Friday by Judge Dunne for contempt and who is now at liberty on his recognizance by virtue of an appeal to the district court of appeals, withheld himself from appearance.

Ruef took a seat near the counsel table. By him sat Mayor Schmitz. Assistant District Attorney Henry appeared for the people.

The contest was opened by Mr. Henry, who moved that the court quash the order made by Judge Hebbard in the superior court by which Ruef's original \$50,000 bail was reduced.

Henry grounded his motion on the declaration that Ruef never was actually in confinement; that his petition to Judge Hebbard for release on habeas corpus was not bona fide and that a court cannot reverse itself in a habeas corpus decision.

Attorney Ach, chief counsel for Ruef, opposed Henry's motion, asserting that under the constitution of California a writ of habeas corpus is granted not by the court, but by the judge, in his own discretion, and is absolutely final and not subject to any circumstances he set aside by another judge of a co-ordinate court.

"In my opinion," said Judge Dunne, "the proceedings in Department Four (Judge Hebbard's) of the superior court were had by means of trickery and were a fraud. I believe that the court had no jurisdiction in this habeas corpus application, but if it did have jurisdiction Judge Hebbard's action in refusing the writ of habeas corpus and remanding Ruef and then granting by writ of error an appeal to the highest court in the land with the obvious intent of restraining a judge of concurrent jurisdiction from legal procedure in the same case, does not operate as a supersedeas barring this court from proceeding in the case."

Judge Dunne brought the argument to a close by remarking: "As no hardship can be worked by deferring this hearing until the supreme court is heard from, I will take under consideration the motion to set aside the order in Department Four and will adjourn the present proceedings until tomorrow."

The court remanded Ruef to the custody of Elmer Higby until that time. The case of Mayor Schmitz, indicted with Ruef for extortion on five counts, was then called. Counsel announced that the defendant was ready, but demanded a separate trial. Schmitz announced his readiness to go to trial to-day and Judge Dunne set the case for 10 a. m.

Robbed and Assaulted His Employer.

New York, March 12.—Charged with assaulting Mortimer L. Schiff, prominent in financial circles, with a bowling pin after robbing his residence at 932 Fifth avenue, Lawrence De Foulke, 21 years old, a valet, was arrested Monday. De Foulke was committed to prison under \$5,000 bail. According to Schiff, the prisoner managed to get away with about \$200 worth of jewelry.

Officials Deny the Story.

Washington, March 12.—State department officials are emphatic in their denial of reports that President Zelaya, of Nicaragua, forced Mr. Merry, the American minister to Nicaragua, out of Nicaragua and offered him a serious insult at the time of Merry's visit to Managua last week ago.

Schaefer Regains the Championship.

Chicago, March 12.—"Jake" Schaefer, of Chicago last night won the world's billiard championship at 18.1 billiards from George Sutton. Score: Schaefer 500, Sutton 418.

Will Not Discriminate.

Washington, March 12.—The post office department does not intend to draw the color line in the matter of white and negro railway mail clerks working together on the same runs. Although an intimation has been given the superintendents of the railway mail service that white clerks in the middle west are preparing to request the department to effect a change so as to put the negroes on the runs which will not bring them in proximity to the whites, it was stated Monday that no such discrimination could be made.

IT'S NOT THE LIGHT, BUT WHAT THE LIGHT DISCLOSED.



BRIEF NEWS NUGGETS.

M. Petkoff, the premier and minister of the interior, was assassinated at Sofia, Bulgaria.

In the United States circuit court at Knoxville, Tenn., Robert B. Oliver and his six foremen were acquitted on the charge of peonage. There were 11 white men and one negro on the jury.

Rodolphus W. Fuller, the inventor of the machine to make horse shoes, is dead at Hanover, Conn., aged 85 years. Fuller's invention was copied by men who made millions through it, but the inventor died a poor man.

The inquiry by the senate committee on military affairs into the facts connected with the affray at Brownsville, Tex., which resulted in the discharge of a battalion of the Twenty-fifth infantry, has been resumed at Washington.

The legislative inquiry into the new state capital contracts and accounts has begun at Harrisburg, Pa. The investigation grew out of allegations that there were gross extravagance, overcharges and duplication of items in the equipment of the building.

Paid a Fine of \$3,000.

Burlington, Vt., March 12.—The Consolidated Rendering Co., of Boston which owns the Burlington Rendering Co.'s plant in this city, pleaded guilty in the Chittenden county court Monday to four indictments charging selling and having in its possession diseased meat, and was fined \$3,000 and costs. The indictments contained 400 counts, to 34 of which the company pleaded guilty. The remaining counts together with the indictments on similar charges returned by the grand jury against L. E. Brigham, manager of the Burlington plant, will be quashed.

Alleged "Joke" Caused Death.

Pittsburg, March 12.—John Dombi, 20 years old, a laborer, employed in the pressed steel car works at McKee's Rocks, was burned to death Monday, the victim of a joke. Becoming fatigued, he lay down in front of a hot coke salamander and fell asleep. Together with a crane man poured oil over the oil instead of going into the salamander fell on Dombi. When the flash came, it ignited his clothes.

Was Designed by Stanford White.

New York, March 12.—The committee to select a monument for the Prison Ship Martyrs on Monday awarded the contract to a Brooklyn company. The price will be \$175,000 and the monument will be erected in Fort Greene park, Brooklyn. It was designed by the late Stanford White and will be 290 feet high and constructed of white granite.

The Merger Law is O. K.

Philadelphia, March 12.—The state supreme court on Monday affirmed the judgment of the superior court permitting the consolidation of Pittsburgh and Allegheny City. The case has been fought from the lower courts, the opponents of "Greater Pittsburgh" claiming that the legislative act providing for the consolidation was unconstitutional.

Biggest Pottery Is to Be Sold.

Kittanning, Pa., March 12.—By a decree of the Armstrong county courts the Ford china pottery at Ford City will be offered for sale on April 16 to satisfy \$32,000 of first mortgage bonds held by the Fidelity Title and Trust Co., of Pittsburgh. This is said to be the largest pottery under one roof in the United States. It has been closed for months.

Killed Wife, Children and Himself.

Dresden, March 12.—A crime of particular horror has occurred here. Herman Wildorf, a retired forester shot and killed five of his six children and wounded the sixth child. He then killed his wife, after which he committed suicide.

Discovered a New Comet.

Cambridge, Mass., March 12.—The discovery of a new comet was announced Monday in a cablegram received at the Harvard observatory from Prof. Kreutz at Kiel, the discoverer being Giacobini at Nice.

Twenty-two Men Drowned.

Redding, Cal., March 12.—Twenty-four Greek laborers started to cross the Sacramento river in a boat at Pitt Monday afternoon. The boat capsized and 22 of the men were drowned. The men were employed by the New Delmar-Pitt railroad.

Recalled the Anti-Merger Bill.

Lansing, Mich., March 12.—The state senate last night recalled from the governor and tabled the bill to prevent the merging of mining companies that was rushed through the legislature last week.

IN REBUTTAL

Mr. Jerome Calls Ten Witnesses to the Stand.

HE GAINS LITTLE.

District Attorney Encounters a Stone Wall in Trying to Assail Young Mrs. Thaw's Story.

New York, March 12.—On Monday, the first day of the state's case in rebuttal at the trial of Harry K. Thaw, District Attorney Jacobus began to lay out his case. He said that all extra men hired so far were residents of Louisville and vicinity. He said that 225 men reported for work Monday.

Mr. Funk declared that the first cars sent out to-day would carry two policemen aboard each one, and that if the crowds could be kept moving the service would be extended during the day.

At 1 o'clock Monday afternoon attempts to maintain service within the city limits were abandoned and three hours later the suburban lines were also given up, but the interurban service to Indiana was not interfered with. In addition to the great inconvenience to people living in Louisville, there were last night about 3,000 suburbanites spending the night in Louisville.

Clashes between the strikers and their sympathizers on one side and the police and strike breakers on the other were numerous during the day. A charge of insubordination against several policemen was made by Police Captain Jacobs during the day. Capt. Jacobs, who with a detail of 50 men was stationed at the car barns at Fourth and Avery streets, called Chief Guenther to the scene during the morning with the report that his men could not get on with the police.

Later in the day the scenes of turbulence were brought nearer the city and later in the day the downtown streets were congested with strikers and their sympathizers, who hoisted and jeered at the few cars which were run. Only a half dozen cars ran during the late afternoon and these were guarded by two policemen on each platform and several inside.

Will Form a Union of Their Own.

Tonopah, Nevada, March 12.—Goldfield miners have decided to sever their connection with the Industrial Workers of the World and form a union of their own. At Goldfield great excitement has been caused by interline labor troubles. John Silva was killed Sunday night and Joe Smith, of the Industrial Workers, was killed Sunday the first shift of miners of the consolidated companies at Goldfield was called out on strike by the Industrial Workers of the World because the carpenters would not join their order. The shift went on as usual, declaring that they would no longer be dictated to by agitators.

AN EXPENSIVE HONEYMOON.

A Colorado Farmer is "Worked" by His New Wife for \$5,000 and She Skips Out.

Chicago, March 12.—Mrs. Sophie Wambaugh, formerly Sophie Finley, of Denver, Col., who was married in court last Friday after she had been arraigned on the charge of obtaining \$5,000 from her prospective husband William Wambaugh, disappeared last Tuesday from his father's home eight miles from Denver. Mr. Standish acknowledged that the mystery surrounding the disappearance of the boy was as deep as it was a week ago when the child was whisked out of sight within a space of less than five minutes.

Will Vote on State-Wide Prohibition.

Guthrie, Okla., March 12.—State-wide prohibition will be submitted as a separate constitutional provision to the people of the new state, the constitutional convention having adopted the proposal Monday by a vote of 69 to 13.

Railroad on Trial for Rebating.

New York, March 12.—The trial of the Delaware, Lackawanna & Western Railroad Co. on a charge of granting rebates on sugar shipments from Brooklyn to Buffalo and points west was begun before Judge Hough in the United States court Monday.

Three Men Killed.

Metuchen, N. J., March 12.—Three men were killed and a number of others hurt Monday when the boiler of a locomotive on the Pennsylvania railroad exploded while drawing a freight train through the town.

RIOT REIGNS

As a Result of Louisville Street Car Strike.

FEEBLE ATTEMPTS

To Run Cars are Frustrated by Sympathizers with the Strikers—Police are Inefficient.

Louisville, Ky., March 12.—Violence resulting in injury to a dozen persons and a feeble and spasmodic operation of 100 out of the usual 600 cars for a few hours under inadequate police protection Monday marked the second day of the strike of the union employees of the Louisville Railway Co.

Few of the cars operated were patronized, and a number were stoned. As a general thing, the crowds that thronged the streets near the car barns drove the crews off the cars by merely surging forward and ordering the men away.

Mayor Barth last night said that he had not been asked to swear in extra policemen and that his course in this regard would be guided solely by the developments to-day.

Superintendent Funk of the street railway company, denied that any professional strike breakers had been sent for. He said that all extra men hired so far were residents of Louisville and vicinity. He said that 225 men reported for work Monday.

Mr. Funk declared that the first cars sent out to-day would carry two policemen aboard each one, and that if the crowds could be kept moving the service would be extended during the day.

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Use Reason

Cure Piles Privately at Home Without Pain or Operation

THE ALHAMBRA CRUMBLING.

Beautiful Moorish Palace in Spain Fast Going to Pieces.

Paris.—The Alhambra, the beautiful old Moorish palace at Granada, whose history has been written by Washington Irving and which is visited annually by crowds of tourists from America, is in a serious state of decay.

Four years ago cracks began to appear in the walls, one great fissure now extending from the base of one of the towers nearly to the top. The historic building now contains many other cracks, both inside and outside, and its general state of repair is very unsatisfactory.

The Spanish government contribution toward the care of the Alhambra has been quite inadequate, only \$2,500 a year being allowed for restoration work to the official conservator of the Alhambra. It is hinted that the present conservator, Don Mariano Contreras, does not devote even that amount to repairs.

American and other tourists have noticed the state of decay into which the Alhambra is falling, and blame the government for its parsimony, forgetting that they are not charged a cent for inspecting the glories of the Alhambra, and that the government has in fact been spending much money on the restoration of such famous Moorish relics as the Alcazar at Seville, and the Mosque at Cordova.

If a small charge for admission had been instituted, a fund might have been collected to keep the place in good condition.

Some action to save the Moorish palace from gradual ruin has now become imperative. The Spanish government being unable or unwilling to spend more money on the work, it is suggested that a subscription should be raised among lovers of the historic and beautiful in architecture all over the world. Or some wealthy American might put down the cost of the Alhambra's complete restoration.

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Can Only Be Tried for Perjury.

Steuenville, O., March 12.—Frederick C. Fairbanks, son of the vice president, can be tried for perjury, but not for subornation of perjury, as Judge Richards on Monday held that the second and third counts of the indictment which charge subornation of perjury were invalid. Prosecutor Albion noted exceptions to the court's ruling and he will carry the case to the circuit court. He says he may decide to try Fairbanks on the first count for perjury before the case is taken to the circuit court, which meets in May.

Will Try It Again.

Columbus, O., March 12.—State Fire Marshal Creamer and David B. Sharp, his attorney, left Monday for Lansing, Mich., to argue before Gov. Warner the application for the extradition of Ira S. Bryant, who is wanted in Williams county on an old arson charge. Once before Ohio made requisition for Bryant, and it was refused by Gov. Warner because Bryant proved that he was in Michigan at the time the alleged crime was committed.

Court Sustains Rorick's Action.

Columbus, O., March 12.—The circuit court on Monday sustained Superintendent Rorick of the institution for feeble minded youth, in his attitude of refusing to accept as a patient a boy, Wilbur Reynolds, who is blind, deaf and dumb and imbecile. Mandamus proceedings to force him to admit the child were instituted and it is upon these the court passed.

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CORSETS FOR FAT MEN.

Tailors in Convention Fix Fashion for the Swells.

Washington.—Corsets for corpulent men, waistcoat buttons costing from five dollars to \$50 apiece for those who wish to put up a swell front, the long soft roll effect in lapels and straight box coats whether or not they are friendly to your physical conformation are a few of the rules which were laid down for the well-dressed man of 1937 by the Merchant Tailors' National Protective Association of America at its recent meeting here.

Spring styles and plates exhibiting them will be issued within a few weeks, according to leading members who were present.

Narrow shoulders, with a rather square effect, and shorter sack coats will rule. Pads upon the shoulders and the long, loose effect of all coats will have to go.

Vents in the coats will be "cut out," or, rather, not cut at all, unless the customer insists, and so far as possible the tailors blind themselves to discourage him in persisting in following the styles of the two last years. Double-breasted coats also will be tabooed, and the sleeves will be made easy-fitting.

Anything that is bright and expensive will be permitted for waist coats, and the ultra-fashionable will add to them jeweled buttons to his limit as to the price. One of the samples shown was a sort of rich brocade silk with amber buttons whose centers were tiny rubies.

Trousers may be turned up at the bottom or according to the owner's taste. They will be in blue, brown and various shades of green, although mixed goods will be permissible.

In overcoats the skirt and paletot will be dropped and a form-fitting, straight box coat will prevail.

Set in Her Way.

Dot took her city cousin out to the hen house to get the eggs, but the speckled hen was on her nest, determined to set, and Dot did not dare to take her off. "We can't get these eggs, Bert," she said, "for old Speckle is awful setty and she is so cross I'm afraid of her."

Notwithstanding the high prices of stock, we are selling the finest

Home Made Sausage at 10c the pound.

It's a low price, but it simply demonstrates our ability to do things.

THE MARION PROVISION COMPANY. Both Phones. E. Center St.

Removed

I have moved my stock of clothing, Gent's Furnishings and shoes from North Main street to the True block on West Center street, formerly occupied by John Pfann. Come in and get acquainted.

I. M. Hayfer & Co.

\$5 Solid Gold Filled \$2 Columbia Optical Co. 115 South Main

Open Saturday and Monday evening

Hay and Straw

We are selling at very low prices and furnish you quick service with good quality of goods.

Mozier & Rhoads, Both